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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/527,040	03/09/2005	Daiji Ido	1.9289.05106	5560
24257	7590	12/05/2008		
Dickinson Wright PLLC James E. Ledbetter, Esq. International Square 1875 Eye Street, NW., Suite 1200 WASHINGTON, DC 20006			EXAMINER	
			MAIS, MARK A	
			ART UNIT	PAPER NUMBER
			2419	
			MAIL DATE	DELIVERY MODE
			12/05/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/527,040

Applicant(s)

IDO ET AL.

Examiner

MARK A. MAIS

Art Unit

2419

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-14 and 19-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-14, 19-26, 28-30, 32 and 33 is/are allowed.
- 6) ☒ Claim(s) 27 and 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 27 and 31 are rejected under 35 U.S.C. 102(c) as being anticipated by Chatterton (USP 7,116,894).

3. With regard to claim 27, Chatterton discloses a data transmission method

that transmits information indicating static media data and a playback time of the static media data to play the static media data **[DVD specification uses MPEG which includes subtitles and different types of playback timing, col. 1, lines 33-54; Stream processing logic executes the playback, col. 27, line 10 to col. 28, line 6]** and

that transmits data indicating a playback time of next static media data to be played after the static media data together with the static media data **[DVD specification uses MPEG which**

includes subtitles and different types of playback timing, col. 1, lines 33-54; Stream processing logic executes the playback, col. 27, line 10 to col. 28, line 6; Subpicture processing includes displaying a new subtitle in only the regions affected by the subtitle changes, col. 32, lines 32-67].

4. With regard to claim 31, Chatterton discloses a data transmission method

that transmits information indicating static media data and a playback time of the static media data to play the static media data **[DVD specification uses MPEG which includes subtitles and different types of playback timing, col. 1, lines 33-54; Stream processing logic executes the playback, col. 27, line 10 to col. 28, line 6]** and

that transmits data indicating a playback time of next static media data to be played after the static media data and information indicating the number of characters included in the next static media data together with the static media data **[DVD specification uses MPEG which includes subtitles and different types of playback timing, col. 1, lines 33-54; Stream processing logic executes the playback, col. 27, line 10 to col. 28, line 6; Subpicture processing includes displaying a new subtitle in only the regions affected by the subtitle changes, col. 32, lines 32-67 (a known subtitle is interpreted as indicating the number of characters in the subtitle)].**

Allowable Subject Matter

5. Claims 7-14, 19-26, 28-30, and 32-33 are allowed.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- (a) Chatterton (USP 7,197,234), System and method for processing subpicture data.
- (b) Maruta (USP 7,068,922), DVD Video Player.
- (c) Foong et al. (USP 6,993,073), Optimization software module and method for video compression under MPEG.
- (d) Boyle et al. (USP 7,325,244), Displaying a program guide responsive to electronic program guide data and program recording indicators.
- (e) Boyle et al. (USP 7,292,775), Communicating program identifiers from a digital video recorder (DVR) to a set top box (STB) independent of when the STB demodulates the associated program data.
- (f) Inoue (USP 7,243,131), Information processing system using remote control, with device and method therefor.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARK A. MAIS whose telephone number is (571)272-3138. The examiner can normally be reached on M-Th 9am-8pm.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing F. Chan can be reached on 571-272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

November 20, 2008

/Mark A. Mais/

Examiner, Group Art Unit 2419

/Wing F. Chan/

Supervisory Patent Examiner, Art Unit 2419

11/25/08